

23-2156

IN THE
**United States Court of Appeals
for the Fourth Circuit**

Richmond, Virginia

ANDREW U. D. STRAW,)	
<i>Appellant-Plaintiff, Pro Se,</i>)	
)	
v.)	
)	CAMP LEJEUNE JUSTICE ACT
UNITED STATES,)	
<i>Appellee-Defendant.</i>)	ORAL ARG. NOT REQUESTED

Appeal from the United States District Court for
the Eastern District of North Carolina, Southern Division
Case No. 7:23-cv-00162-BO-BM
The Honorable Judge Terrence W. Boyle

MOTION TO GRANT *IN FORMA PAUPERIS* BELOW
AFTER 9 MONTHS OF NONFEASANCE

s/ ANDREW U. D. STRAW
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I, *Appellant* Andrew U. D. Straw, make this MOTION:

1. This Court granted me *IFP* status for a Camp LeJeune issue prior to my filing this lawsuit at [Dkt. 1](#) below on 2/21/2023. 23-1120, [Dkt. 2](#), ORDER filed [2/2/2023](#).
2. Moreover, this Court granted me *IFP* status for this interlocutory appeal, 23-2156, [Dkt. 8](#) here, on 11/2/2023.
3. However, my *IFP* status was never granted (or denied) in the Court below. I made my application below on **February 21, 2023**, 9 months ago. [Dkt. 2](#).
4. While at least 5 different DOJ attorneys have appeared in [my case below](#) and made answers at Dkts. [17](#) & [27](#), they did not object to my having *IFP* status in the lawsuit below. DOJ did not oppose in my earlier case at 23-1120 or my appeal here, 23-2156. No motion to dismiss has been filed, & no appellee brief.
5. A Magistrate Judge has been available for the past 9 months, but the Court below has simply refused to Act.
6. This nonfeasance refusal to grant *IFP* when the higher Court here has already granted it to me ***twice this year*** concerning the same matter (CLJA) is more of the same abusive attitude toward me that resulted in refusal to grant my 3 motions (Dkts. [56](#), [57-4](#), & [58](#)) even when **the defendant did not oppose them**.
7. It is clear from the [docket](#) that my *IFP* motion was referred by the Clerk to the Magistrate Judge assigned to my case on **2/23/2023**. No action on it followed.

WHEREFORE, I MOVE this Court to grant the *IFP* motion below that has been pending for 9 months in conformance with my 2 *IFP* grants before this Court in 2023.

Many of the Camp LeJeune victims are in my position, suffering disabilities and poverty from the poisoning actions of the government, which has effectively used unethical delays to deny justice. [20 years of litigation](#). The nonfeasance and poverty make an *IFP* order to the Court below necessary. *IFP* can be denied for certain reasons under 28 U.S.C. § 1915, but none of those reasons exists with [117,000 CLJA claimants asking \\$3.3 trillion](#) and a NEW LAW giving them that right. That mass of unpaid legitimate claims is a fact likely only to grow because this cause is just and the government should stop resisting and driving up the cost of justice as well as the increasing unethical delay. Nonfeasance is not due process, and neither are the abusive and clearly erroneous ORDERS denying my relief appearing at Dkts. **59** and **65**. The nonfeasance below demands action from this Court in the form of a short text order imposing *IFP* status below.

I, Andrew U. D. Straw, verify that the statements above are true and correct on penalty of perjury.

Signed this 21st day of November, 2023



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CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below, I electronically filed the foregoing **MOTION** with the Clerk of Court using the CM/ECF system, which will serve the attached on all counsel of record. The government should be obliged to review the docket and appear and accept CM/ECF service now that I have made it aware of this appeal.

See, [Dkt. 19.](#)

Nonetheless, I also mailed on the below date a copy of this document via U.S. Mail, First Class and Postage Prepaid, to the appellee at: P.O. Box 340, Ben Franklin Station, Washington, DC 20044-0340

Dated this 21st day of November, 2023



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